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## Reporting Category

No Reporting Category entered.

Log No: 1082731 Type:U

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
<a href="#">View</a> 1	FACE SHEET	N/A	-	-	-	GOODWIN, JEANNE	OCT-23-2016 11:17	-	-	-
<a href="#">View</a> 2	CONFLICT CERTIFICATION	N/A	-	-	-	HUNT, JOSHUA	OCT-27-2016 09:21	-	-	-
<a href="#">View</a> 3	CONFLICT CERTIFICATION	N/A	-	-	-	MORLEY, CHANTALL	OCT-27-2016 17:43	-	-	-
<a href="#">View</a> 4	REPORT (OTHER)	N/A	5	Preliminary Report	YES	MORLEY, CHANTALL	NOV-16-2016 12:17	APPROVED	-	YES
<a href="#">View</a> 5	ARREST REPORT	N/A	7	[REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 09:52	APPROVED	-	YES
<a href="#">View</a> 6	ARREST REPORT	N/A	6	[REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 09:56	APPROVED	-	YES
<a href="#">View</a> 7	ARREST REPORT	N/A	5	[REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 09:57	APPROVED	-	YES
<a href="#">View</a> 8	GENERAL OFFENSE CASE REPORT	N/A	5	RD# HZ-485573	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:02	APPROVED	-	YES
<a href="#">View</a> 9	DETECTIVE SUPPLEMENTARY REPORT	N/A	5	RD# HZ-485573; Method/CAU Code Report	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:04	APPROVED	-	YES
<a href="#">View</a> 10	OFFICERS BATTERY REPORT	N/A	2	PO John Craig	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:05	APPROVED	-	YES
<a href="#">View</a> 11	TACTICAL RESPONSE REPORT (TRR)	N/A	3	PO John Craig	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:06	APPROVED	-	YES
<a href="#">View</a> 12	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	ev 05289-094503 to 095558hrs	YES	MORLEY, CHANTALL	OCT-31-2016 12:17	APPROVED	-	YES
<a href="#">View</a> 13	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	ev 05289-a-095556 to 105525hrs	YES	MORLEY, CHANTALL	OCT-31-2016 12:19	APPROVED	-	YES
<a href="#">View</a> 14	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	ev 05289-g-101102 to 105427hrs	YES	MORLEY, CHANTALL	OCT-31-2016 12:20	APPROVED	-	YES
<a href="#">View</a> 15	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	ev 05368	YES	MORLEY, CHANTALL	OCT-31-2016 12:21	APPROVED	-	YES
<a href="#">View</a> 16	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	ev 05456	YES	MORLEY, CHANTALL	OCT-31-2016 12:21	APPROVED	-	YES
<a href="#">View</a> 17	OEMC EVENT QUERY	N/A	1	Event #1629705368	YES	MORLEY, CHANTALL	FEB-08-2017 14:40	APPROVED	-	YES
<a href="#">View</a> 18	OEMC EVENT QUERY	N/A	1	Event #1629705456	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:11	APPROVED	-	YES
<a href="#">View</a> 19	OEMC EVENT QUERY	N/A	2	Event #1629705655	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:18	APPROVED	-	YES
<a href="#">View</a> 20	OEMC EVENT QUERY	N/A	2	Event #1629705800	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:22	APPROVED	-	YES
<a href="#">View</a> 21	OEMC EVENT QUERY	N/A	4	Event #1629800851	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:23	APPROVED	-	YES
<a href="#">View</a> 22	GPS DATA	N/A	53	Location: 300 W. 59th St; from: 23 Oct 2016	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:26	APPROVED	-	YES

<a href="#">View</a>	23	GPS DATA	N/A	53	Location: 5924 S. Princeton Ave., From: 23 Oct 2016	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:29	APPROVED	-	YES
<a href="#">View</a>	24	INVENTORY SHEET	N/A	10	eTrack Inventory Item Inquiry	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:30	APPROVED	-	YES
<a href="#">View</a>	25	CRIME SCENE PROCESSING REPORT	N/A	3	Print photo hospital	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:40	APPROVED	-	YES
<a href="#">View</a>	26	INVENTORY SHEET	N/A	41	-	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:41	APPROVED	-	YES
<a href="#">View</a>	27	ATTENDANCE AND ASSIGNMENT RECORD	N/A	10	2nd watch, 007th District, 23 Oct 2016	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:42	APPROVED	-	YES
<a href="#">View</a>	28	CANVASS SHEETS	N/A	1	23 Oct 2016	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:43	APPROVED	-	YES
<a href="#">View</a>	29	CANVASS SHEETS	N/A	3	23 Oct 2016	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:44	APPROVED	-	YES
<a href="#">View</a>	30	TO/FROM REPORT	N/A	1	Response to hospital	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:45	APPROVED	-	YES
<a href="#">View</a>	31	TO/FROM REPORT	N/A	2	Response to Area South Headquarters	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:47	APPROVED	-	YES
<a href="#">View</a>	32	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:49	APPROVED	-	YES
<a href="#">View</a>	33	AUDIO INTERVIEW	N/A	1	Audio Statement of Witness, [REDACTED]	YES	MORLEY, CHANTALL	OCT-31-2016 14:39	APPROVED	-	YES
<a href="#">View</a>	34	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	[REDACTED]	YES	BRUMFIELD, LUCILLE	NOV-01-2016 10:53	APPROVED	-	YES
<a href="#">View</a>	35	TO/FROM REPORT	N/A	1	Telephone inquiry on medical condition - [REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:55	APPROVED	-	YES
<a href="#">View</a>	36	TO/FROM REPORT	N/A	1	Status of [REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:57	APPROVED	-	YES
<a href="#">View</a>	37	TO/FROM REPORT	N/A	1	Telephone conversation - [REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 10:59	APPROVED	-	YES
<a href="#">View</a>	38	TO/FROM REPORT	N/A	1	Telephone contact with [REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 11:02	APPROVED	-	YES
<a href="#">View</a>	39	TO/FROM REPORT	N/A	1	MIN Report Request	-	BRUMFIELD, LUCILLE	NOV-01-2016 11:03	APPROVED	-	YES
<a href="#">View</a>	40	REPORT (OTHER)	N/A	1	Letter to [REDACTED] c/o [REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 11:05	APPROVED	-	YES
<a href="#">View</a>	41	AMBULANCE REPORT/SHEET	N/A	6	[REDACTED]	-	BRUMFIELD, LUCILLE	NOV-01-2016 11:07	APPROVED	-	YES
<a href="#">View</a>	42	REPORT (OTHER)	N/A	2	Letter from CPD Record Services Division re: in-car video request	-	BRUMFIELD, LUCILLE	NOV-01-2016 11:09	APPROVED	-	YES
<a href="#">View</a>	43	REPORT (OTHER)	N/A	1	In-Car Camera Video (PD9475)	YES	BRUMFIELD, LUCILLE	NOV-01-2016 11:10	APPROVED	-	YES
<a href="#">View</a>	44	REPORT (OTHER)	N/A	1	In-Car Camera Video (PD9059)	YES	BRUMFIELD, LUCILLE	NOV-01-2016 11:11	APPROVED	-	YES
<a href="#">View</a>	45	WITNESS NOTIFICATION FOR MURPHY, TARA	WITNESS - MURPHY, TARA	-	-	-	MORLEY, CHANTALL	OCT-27-2016 17:47	PENDING WITNESS ACKNOWLEDGEMENT	-	-
<a href="#">View</a>	46	WITNESS NOTIFICATION FOR DONAHUE, MICHAEL	WITNESS - DONAHUE, MICHAEL	-	-	-	MORLEY, CHANTALL	OCT-27-2016 17:48	WITNESS ACKNOWLEDGED NOTIFICATION	-	-
<a href="#">View</a>	47	WITNESS NOTIFICATION FOR BRYK, JENNIFER	WITNESS - BRYK, JENNIFER	-	-	-	MORLEY, CHANTALL	OCT-27-2016 17:48	PENDING WITNESS ACKNOWLEDGEMENT	-	-
<a href="#">View</a>	48	REPORT (OTHER)	N/A	1	POD map	-	BRUMFIELD, LUCILLE	NOV-01-2016 14:35	APPROVED	-	YES
<a href="#">View</a>	49	REPORT (OTHER)	N/A	1	POD map	-	BRUMFIELD, LUCILLE	NOV-01-2016 14:35	APPROVED	-	YES
<a href="#">View</a>	50	IAD SYNOPSIS REPORT	N/A	25	-	-	BRUMFIELD, LUCILLE	NOV-01-2016 14:37	APPROVED	-	YES
<a href="#">View</a>	51	REQUEST FOR	N/A	1	PO J. Bryk	YES	MORLEY,	NOV-08-	APPROVED	-	YES

INTERVIEW/STATEMENT/REPORT						CHANTALL	2016			
							14:20			
<a href="#">View</a>	52	AUDIO INTERVIEW	N/A	1	Audio Statement of PO Bryk	YES	MORLEY, CHANTALL	NOV-08-2016 14:27	APPROVED	- YES
<a href="#">View</a>	53	STATEMENT OF POLICE OFFICER	N/A	32	Statement of P.O. J. Bryk	YES	MORLEY, CHANTALL	NOV-21-2016 19:53	APPROVED	- YES
<a href="#">View</a>	54	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	PO M. Donahue	YES	MORLEY, CHANTALL	NOV-08-2016 14:21	APPROVED	- YES
<a href="#">View</a>	55	AUDIO INTERVIEW	N/A	1	Audio Statement of PO Donahue	YES	MORLEY, CHANTALL	NOV-08-2016 14:28	APPROVED	- YES
<a href="#">View</a>	56	STATEMENT OF POLICE OFFICER	N/A	26	Statement of Officer M. Donahue	YES	MORLEY, CHANTALL	NOV-16-2016 12:19	APPROVED	- YES
<a href="#">View</a>	57	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	PO T. Murphy	YES	MORLEY, CHANTALL	NOV-08-2016 14:22	APPROVED	- YES
<a href="#">View</a>	58	AUDIO INTERVIEW	N/A	1	Statement of PO T. Murphy	YES	MORLEY, CHANTALL	NOV-08-2016 14:40	APPROVED	- YES
<a href="#">View</a>	59	STATEMENT OF POLICE OFFICER	N/A	23	Statement of P.O. T. Murphy	YES	MORLEY, CHANTALL	NOV-21-2016 19:52	APPROVED	- YES
<a href="#">View</a>	60	REPORT (OTHER)	N/A	3	Major Incident Notification (MIN) Report	YES	MORLEY, CHANTALL	FEB-08-2017 14:42	APPROVED	- YES
<a href="#">View</a>	61	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	2	ISP Laboratory Report- #C16-023350	YES	MORLEY, CHANTALL	FEB-08-2017 14:44	APPROVED	- YES
<a href="#">View</a>	62	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	1	PO John Craig	-	BRUMFIELD, LUCILLE	MAY-04-2017 16:11	APPROVED	- YES
<a href="#">View</a>	63	AUDIO INTERVIEW	N/A	1	PO J. Craig	YES	MORLEY, CHANTALL	MAY-04-2017 12:43	APPROVED	- YES
<a href="#">View</a>	64	STATEMENT OF POLICE OFFICER	N/A	57	Transcribed recorded statement of PO John Craig	-	BRUMFIELD, LUCILLE	MAY-04-2017 16:12	APPROVED	- YES
<a href="#">View</a>	65	DETECTIVE SUPPLEMENTARY REPORT	N/A	8	Canvass	YES	MORLEY, CHANTALL	JAN-26-2018 14:01	APPROVED	- YES
<a href="#">View</a>	66	DETECTIVE SUPPLEMENTARY REPORT	N/A	24	Cleared/Closed (Arrest and Prosecution)	YES	MORLEY, CHANTALL	JAN-26-2018 14:02	APPROVED	- YES
<a href="#">View</a>	67	DETECTIVE SUPPLEMENTARY REPORT	N/A	11	Lab Report	YES	MORLEY, CHANTALL	JAN-26-2018 14:03	APPROVED	- YES
<a href="#">View</a>	68	MEDICAL RECORDS	N/A	164	Medical Records- [REDACTED]	YES	MORLEY, CHANTALL	FEB-20-2018 10:16	APPROVED	- YES
<a href="#">View</a>	69	CRIME SCENE PROCESSING REPORT	N/A	7	Crime Scene Processing Report- RD #HZ485573	YES	MORLEY, CHANTALL	FEB-20-2018 10:24	APPROVED	- YES
<a href="#">View</a>	70	REPORT (OTHER)	N/A	1	Scene Plat	YES	MORLEY, CHANTALL	FEB-20-2018 10:24	APPROVED	- YES
<a href="#">View</a>	71	PHOTOGRAPH	N/A	223	Scene/Evidence/Involved Officer	YES	SILVA, KARLO	FEB-22-2018 13:23	APPROVED	- YES
<a href="#">View</a>	72	REPORT (OTHER)	N/A	1	Compelled Statement Rights- Officer Craig	YES	MORLEY, CHANTALL	MAR-20-2018 10:43	APPROVED	- YES
<a href="#">View</a>	73	INVESTIGATOR CASE LOG	N/A	3	Investigator's Case Log	YES	MORLEY, CHANTALL	MAR-20-2018 10:43	APPROVED	- YES
<a href="#">View</a>	74	VIDEO RECORDING	N/A	1	335 W. 59th Street	YES	MORLEY, CHANTALL	APR-11-2018 16:32	APPROVED	- YES
<a href="#">View</a>	75	VIDEO RECORDING	N/A	1	Quickmart- 5924 S. Princeton	YES	MORLEY, CHANTALL	APR-11-2018 16:33	APPROVED	- YES
<a href="#">View</a>	76	REPORT (OTHER)	N/A	16	Email Communication: Public Defender's Office	YES	MORLEY, CHANTALL	AUG-08-2018 11:51	APPROVED	- YES
<a href="#">View</a>	77	CRIME LAB RESULTS	N/A	16	ISP Lab Reports	YES	MORLEY, CHANTALL	AUG-08-2018 11:52	APPROVED	- YES
<a href="#">View</a>	78	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	9	Court Disposition: [REDACTED]	YES	MORLEY, CHANTALL	AUG-08-2018 11:53	APPROVED	- YES
<a href="#">View</a>	79	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	6	Court Disposition: [REDACTED]	YES	MORLEY, CHANTALL	AUG-08-2018	APPROVED	- YES

<a href="#">View</a>	80	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	N/A	1	Ticket Info: [REDACTED] YES	MORLEY, CHANTALL	11:54 AUG-08-2018 11:55	APPROVED	-	YES
<a href="#">View</a>	81	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	Consent to Record Form: [REDACTED] YES	MORLEY, CHANTALL	11:56 AUG-08-2018 11:56	APPROVED	-	YES
<a href="#">View</a>	82	AUDIO INTERVIEW	N/A	1	Audio Statement: [REDACTED] YES	MORLEY, CHANTALL	11:57 AUG-08-2018 11:57	APPROVED	-	YES
<a href="#">View</a>	83	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Sworn Affidavit: [REDACTED] YES	MORLEY, CHANTALL	11:56 AUG-08-2018 11:56	APPROVED	-	YES
<a href="#">View</a>	-	LETTER TO VICTIM	N/A	1	Transparency Notification -	GRBA, MARK	09:27 JUL-25-2017 09:27	APPROVED	-	YES
<a href="#">View</a>	-	SUMMARY REPORT	N/A	16	- NO	HOLLOWAY, REGINA	11:35 SEP-10-2018 11:35	APPROVED	-	YES

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### Internal Use Only

No Internal Use Only attachments available.

### Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

### Related Incidents

☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

Log No./Tracking No.	Type	Comments
99718	RELATED - TACTICAL RESPONSE REPORT	RD No.HZ485573 - Event No.1629705289 - CB No.19388518

row(s) 1 - 1 of 1

### Status History

☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED/FINAL	10-SEP-2018 14:20	KERSTEN, ANDREA	DEPUTY CHIEF ADMINISTRATOR	[REDACTED]	113 / -	-
CLOSED AT C.O.P.A.	10-SEP-2018 14:20	KERSTEN, ANDREA	DEPUTY CHIEF ADMINISTRATOR	[REDACTED]	113 / -	-
PENDING C.O.P.A. COORDINATOR REVIEW	10-SEP-2018 11:36	HOLLOWAY, REGINA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE REVIEW	08-AUG-2018 12:26	MORLEY, CHANTALL	INVESTIGATOR 2 COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATION	25-JUL-2018 10:05	HOLLOWAY, REGINA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATIVE REVIEW	11-APR-2018 16:34	MORLEY, CHANTALL	INVESTIGATOR 2 COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATION	11-APR-2018 12:32	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR	[REDACTED]	113 / -	-
PENDING ASSIGN INVESTIGATOR	11-APR-2018 12:32	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR	[REDACTED]	113 / -	jh
PENDING INVESTIGATION	11-APR-2018 12:30	HUNT, JOSHUA	DEPUTY CHIEF ADMINISTRATOR	[REDACTED]	113 / -	jh
PENDING INVESTIGATIVE REVIEW	20-MAR-2018 12:05	MORLEY, CHANTALL	INVESTIGATOR 2 COPA	[REDACTED]	113 / -	-
PENDING INVESTIGATION	27-OCT-2016 09:21	HUNT, JOSHUA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING ASSIGN INVESTIGATOR	25-OCT-2016 10:21	OLVERA, MARIA	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING ASSIGN TEAM	24-OCT-2016 20:20	DEAN, BRUCE	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PENDING SUPERVISOR REVIEW	24-OCT-2016 20:18	DEAN, BRUCE	SUPERVISING INV COPA	[REDACTED]	113 / -	-
PRELIMINARY	24-OCT-2016 11:40	GOLDSTON, MICHAEL	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PRELIMINARY	24-OCT-2016 11:33	GOLDSTON, MICHAEL	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PRELIMINARY	24-OCT-2016 10:24	GOLDSTON, MICHAEL	INVESTIGATOR 3 COPA	[REDACTED]	113 / -	-
PRELIMINARY	23-OCT-2016 11:17	GOODWIN, JEANNE	INVESTIGATOR 2 COPA	[REDACTED]	113 / -	-

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### Command Channel Reviewers

No Command Channel Reviewers have been assigned.

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>****I. EXECUTIVE SUMMARY**

Date of Incident:	October 23, 2016
Time of Incident:	10:01 a.m.
Location of Incident:	5924 S. Princeton Avenue, Chicago, IL.
Date of COPA Notification:	October 23, 2016
Time of COPA Notification:	10:30 a.m.

On October 23, 2016, at approximately 10:01 a.m., Officer John Craig, #7027, was on routine patrol in a marked police vehicle, near Princeton and 59th Street. Officer Craig observed a vehicle which was missing a front license plate. Officer Craig also observed that the driver of the vehicle was not wearing a seatbelt. Officer Craig proceeded to curb the vehicle, which was a gray Nissan Murano. Upon doing so, Officer Craig observed the occupants acting "suspiciously". The occupants included two passengers in addition to the driver. The occupants were: [REDACTED] (driver), [REDACTED] (front passenger), and [REDACTED] (rear passenger). Officer Craig called for backup, and once Officers Bryk, #6262, Murphy, #17579, and Donahue, #11762, arrived, the subjects were asked to exit the vehicle. The subjects in the front and rear passenger seats, [REDACTED] and [REDACTED] exited the vehicle and ran from the scene.

A foot pursuit ensued, with Officer Craig and Officer Bryk pursuing Mr. [REDACTED] and Officer Donahue pursuing Mr. [REDACTED]. While in an empty lot at approximately 5920 S. Princeton, it is alleged that Mr. [REDACTED] pointed his weapon at Officer Craig, resulting in Officer Craig firing six (6) shots and striking Mr. [REDACTED]. Mr. [REDACTED] was placed into custody and transported to John H. Stroger, Jr. Hospital for treatment. Mr. [REDACTED] and Mr. [REDACTED] were placed into custody without further incident.

**II. INVOLVED PARTIES**

Involved Officer #1:	John M. Craig; Star #7027; Employee ID# [REDACTED] Date of Appointment: October 29, 2007; Police Officer, Unit of Assignment: 007; DOB: April 30, [REDACTED] Male; Black.
Involved Individual #1:	[REDACTED] DOB: [REDACTED] Male; Black.

<sup>1</sup>On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

### III. ALLEGATIONS

Any discharge of an officer's firearm results in a mandatory notification to COPA. This investigation was initiated pursuant to such notification. However, COPA determined evidence did not exist which would require allegations of excessive force against Officer Craig.

### IV. APPLICABLE RULES AND LAWS

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#### General Orders

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1. Chicago Police Department General Order, GO 03-02-03; Deadly Force
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#### Federal Laws

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1. Graham v. Connor, 490 U.S. 386, 397 (1989)
- 

#### State Laws

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1. Illinois State Statute 720 ILCS 5/7-5 (1986)
- 

### V. INVESTIGATION<sup>2</sup>

#### a. Interviews

##### *Civilian Interviews*

On October 23, 2016, at approximately 12:30 p.m., investigators from IPRA arrived at the Trauma Unit of John H. Stroger, Jr. Hospital<sup>3</sup> to inquire about the status of [REDACTED]. According to Dr. [REDACTED] Mr. [REDACTED] was in surgery due to a bullet lodged in or near his heart. The investigators were informed that surgeries of this magnitude often last for hours.

In a telephone interview with COPA on August 3, 2018, [REDACTED] stated that on the date of the incident, he was riding in a Nissan Murano<sup>4</sup> with friends, [REDACTED] and [REDACTED]. Mr. [REDACTED] stated that Mr. [REDACTED] was driving the vehicle, Mr. [REDACTED] was the front passenger, and he [REDACTED] was seated in the rear passenger seat, behind the driver seat. Mr. [REDACTED] explained that they were driving eastbound on 59<sup>th</sup> and Halsted when they observed a marked police SUV pull behind them. At 59<sup>th</sup> and Princeton, the police activated his emergency equipment and pulled their vehicle over. Mr. [REDACTED] stated that they became somewhat nervous because they were three parolees in a vehicle with marijuana and a firearm. Mr. [REDACTED] stated that he was carrying a Hi-Point pistol<sup>5</sup> in his coat pocket and Mr. [REDACTED] was in possession of

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<sup>2</sup> COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

<sup>3</sup> Attachment 27.

<sup>4</sup> Mr. [REDACTED] stated that the vehicle belonged to Mr. [REDACTED] and his girlfriend, [REDACTED]. Mr. [REDACTED] added that the vehicle had a tinted rear window but that it was visible to look into the vehicle.

<sup>5</sup> Mr. [REDACTED] stated that the weapon belonged to a friend. Not Mr. [REDACTED] or Mr. [REDACTED].

marijuana. Mr. [REDACTED] stated the Mr. [REDACTED] nor Mr. [REDACTED] were aware that he was in possession of a firearm.

Mr. [REDACTED] explained that the African American uniformed officer, now known to be Officer Craig, asked Mr. [REDACTED] to turn off the vehicle and hand him his keys. Mr. [REDACTED] stated that Mr. [REDACTED] complied with the officer. Mr. [REDACTED] said that the officer then called for back-up and two vehicles arrived. The first vehicle was an unmarked, grey SUV with two Caucasian and/or Hispanic plain clothed officers (one male and one female) and the second vehicle was a sedan with two additional officers. Upon the arrival of the additional officers, Officer Craig asked Mr. [REDACTED] to exit the vehicle and walked him to his [Officer Craig] vehicle. Mr. [REDACTED] stated that the two officers in the SUV walked over to the passenger side of their vehicle. The male officer asked Mr. [REDACTED] to exit the vehicle and padded him down. The female was at his [Mr. [REDACTED] door. Mr. [REDACTED] stated that he moved from the driver's side over to the passenger side because that is where the two officers were located.

Mr. [REDACTED] explained that Mr. [REDACTED] fled in a westbound direction on 59<sup>th</sup> Street, which made him exit the vehicle and flee southbound on Princeton Avenue. Mr. [REDACTED] stated that he fled because he had a weapon on him, he was nervous, and had recently been paroled. As he was running on the west side of Princeton, Mr. [REDACTED] observed Officer Craig running approximately three to four houses behind him. Mr. [REDACTED] stated that Officer Craig told him words to the effect of, "Hey mother fucker, stop." Mr. [REDACTED] ran into an empty field near a convenience store and as he started to "round the corner" into the field he started to pull the gun out of his pocket. Mr. [REDACTED] stated that he ran into the field and threw the firearm near two vehicles that were parked in the rear of the store. Mr. [REDACTED] stated that as he was running, he slipped and fell on a table that was near the rear of the field. At that point, Mr. [REDACTED] heard a gunshot. He got up and took a few steps (3 to 4) towards the driver's side of a silver vehicle before hearing another shot. Mr. [REDACTED] stated that immediately his entire body stiffened and he felt pain in his right leg. Mr. [REDACTED] stated that he tried to run but his right leg was broken. He was able to reach the trunk of the silver sedan. Mr. [REDACTED] stated that he was hoping on one leg, with his left hand up in the air, saying "don't shoot, don't shoot" and immediately heard a third shot and felt a gunshot to his left leg. Mr. [REDACTED] explained that he was also shot on the left side of his body, near his heart. Mr. [REDACTED] stated that he was unaware of who was shooting at him but assumed it was Officer Craig because he saw the officer come out of bushes and trees, with his weapon drawn. Officer Craig then turned him over and hand-cuffed him. Mr. [REDACTED] stated that other officers arrived on scene, as well as an ambulance, which transported him to Stroger Hospital.

Mr. [REDACTED] stated that he plead guilty on the case, confirming that he pled guilty to Unlawful Possession of a Firearm (UUW) and Aggravated Assault to a Peace Officer. Mr. [REDACTED] denied to COPA that he ever pointed the weapon at Officer Craig.

**In an interview with IPRA on October 23, 2016, Witness [REDACTED]<sup>6</sup>** stated that on the date and time of the incident, he was inside of his home located at [REDACTED]. From his vantage point, he had a clear view of the end of the incident, but he did not see how it started or why the officer fired his weapon. Mr. [REDACTED] stated that he heard four to five shots fired in rapid succession and saw a black male police officer, now identified as Officer Craig. Mr.

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<sup>6</sup> Attachments 32-34.

█████ went outside to see what happened and saw the subject, █████ laying behind two parked cars in the yard. Mr. █████ stated that Mr. █████ was yelling at Officer Craig, asking, "Why'd you shoot me?" Mr. █████ added that Mr. █████ told the officer that he [Mr. █████] was not going to shoot him [the officer]. Mr. █████ said that Mr. █████ appeared very agitated.

Mr. █████ stated that two other officers were walking in the alley towards Mr. █████ and that Officer Craig was standing near Mr. █████. Mr. █████ stated that he did not see a weapon near Mr. █████ but he stated that he believed that someone had a video depicting a gun next to Mr. █████. Mr. █████ did not recall the name of the person who had the video.

### *Police Officer Interviews*

In an interview with IPRA on January 27, 2017, Involved Officer John Craig, #7027<sup>7</sup>, stated that on the date and time of the incident, he was working alone in Beat 712, driving a marked police SUV. While he was stopped at a gas station at 59th and Halsted, he observed the subjects' vehicle, a Nissan Murano, with no front license plate. Officer Craig observed the vehicle twice before he decided to follow it and run a license plate check. Officer Craig stated that he called the plate out over the air to the OEMC, and while he waited for them to respond, he curbed the subjects' vehicle at 59th and Princeton. OEMC responded to Officer Craig, telling him that there was some type of irregularity with the plates; the results came back either stolen or lost. Hearing this, Officer Craig decided to conduct a field interview.

Upon approaching the vehicle on the driver's side door, Officer Craig asked the driver, █████ to roll down all windows for officer safety and instructed the other two occupants of the vehicle, now known as █████ and █████ to keep their hands visible. Officer Craig then asked Mr. █████ if he had a driver's license. Mr. █████ responded by saying that he did not have a license. Officer Craig asked Mr. █████ for the car keys, to which Mr. █████ complied. However, after Mr. █████ gave him the keys, Officer Craig noticed the passenger in the back seat trying to open the door. This "alerted" Officer Craig to tell Mr. █████ that he was only going to write him a ticket for the missing front plate and proceeded to walk out of earshot, where he called for backup. Officer Craig explained that two (2) tactical officers and a beat officer arrived shortly after. Officer Craig informed the officers that the occupants of the vehicle were acting suspiciously and that the rear passenger appeared to want to flee.

Officer Craig proceeded back to the vehicle and told the subjects that they must exit the car. Officer Craig escorted Mr. █████ to the rear of the vehicle. Officer Craig asked Mr. █████ if there were any pistols in the car, to which Mr. █████ responded, "I don't have pistols; I don't have a pistol." Officer Craig then told the responding officers "Be careful, I think they got pistols." Shortly after that, a "commotion" ensued at the vehicle, and Officer Craig observed the front seat passenger, Mr. █████ running westbound, followed by Mr. █████ running southbound. Officer Craig stated that Officer Donahue, #11762, pursued Mr. █████ while he pursued Mr. █████ southbound on Princeton.

While running after Mr. █████ Officer Craig observed Mr. █████ right hand move into his waistband, at which point Officer Craig drew his weapon. According to Officer Craig, Mr.

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<sup>7</sup> Attachments 62-64.



█████ turned westbound into an empty lot at 5920 S. Princeton, and when he did this, Officer Craig observed a gun, a black pistol, in Mr. █████ hand. Mr. █████ ran through the lot, between two vehicles, then jumped over a chair before falling on the ground. At that point, Mr. █████ turned with the pistol pointed toward Officer Craig. Officer Craig then discharged his weapon at Mr. █████. Officer Craig stated that he fired six shots. Officer Craig knew he hit Mr. █████ because he heard him scream. Mr. █████ got up and ran away again, with the pistol still in his hand. However, Mr. █████ only made it a "couple of feet and then he fell." Officer Craig stated that he stopped firing because Mr. █████ was no longer pointing the weapon at him.

Officer Craig stated that he stayed back, taking a defensive position behind a truck in the alley and assessed the situation because he was unsure of whether Mr. █████ was going to shoot at him. After a few moments, Officer Craig decided that Mr. █████ was no longer a threat because he saw Mr. █████ on the ground with the gun, a black revolver, laying approximately two to three feet "in front" of him. Officer Donahue arrived and handcuffed Mr. █████ while Officer Craig reported "Shots fired by police" over the radio. Once Officer Craig walked over to observe Mr. █████ he noticed that there was blood on his pants. Officers Bryk and Murphy arrived. Officer Craig stated that Mr. █████ stated words to the effect of, "Why did you shoot me, I wasn't going to shoot you." When asked why Officer Craig did not use his taser, he responded by saying that it would have been inappropriate because it would not have matched the use of force against him.

**In an interview with IPRA on November 03, 2016, Witness Officer Jennifer Bryk<sup>8</sup>, #6262,** stated that on the date and time of the incident, she was working alone in Beat 711, driving a marked police SUV. She recalled that Officer Craig, working Beat 712, requested a backup unit over the radio, to which she responded. When she arrived on scene, she parked her vehicle and observed that Officer Craig had a dark gray Nissan Murano, which was facing eastbound, curbed at 59th Street and Princeton Avenue. Officers Donahue and Murphy arrived seconds after she did.

Officer Craig was near the driver's side door where he was joined by Officer Murphy. Officer Bryk took a position on the passenger's side rear door and Officer Donahue took a position on the passenger's side front door. Officer Bryk observed three black male occupants in the vehicle. Officer Bryk stated that Officer Craig told her to keep an eye on the rear passenger because "he looked like he was gonna try and run". Officer Bryk stated that she told the rear passenger █████ to keep his hands on the headrest in front of him. She repeated this command several times.

Officer Bryk stated that Officer Craig escorted the driver, █████ out of the vehicle and moved him towards the rear. Shortly after, Officer Craig told the officers to take the other two occupants out of the vehicle. Officer Donahue moved to open the passenger's side front door, and upon doing so, █████ exited the vehicle and ran westbound. Officer Bryk stated that as soon as this occurred, the backseat passenger, █████ pushed open his door and fled, heading southbound. Officer Bryk explained that Officer Craig pursued Mr. █████ and Officer Bryk followed them. Officer Bryk explained that she was about thirty feet behind Officer Craig. At one point, Officer Craig and Mr. █████ turned westbound into the vacant lot. Approximately three to five seconds after turning into the vacant lot, Officer Bryk heard five (5) to six (6) shots. Officer Bryk continued to run southbound in an attempt to cut off Mr. █████.

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<sup>8</sup> Attachments 51-53.

Once Officer Bryk arrived in the rear of the lot, she saw Mr. [REDACTED] on the ground, in the rear of 5924 S. Princeton. At that time, Officer Donahue was already at the scene and handcuffed the subject. Officer Bryk added that Mr. [REDACTED] was yelling, and she observed blood on Mr. [REDACTED] lower leg. Officer Bryk observed a black handgun within an arm's reach of Mr. [REDACTED]. Officer Bryk described the weapon and stated that it appeared as though it was in "slide lock" with two rounds jammed in the firearm. Officer Bryk added that she took a position to guard the weapon on the ground. She stated that no officer touched the firearm until it was collected for evidence. She requested EMS over the radio and an ambulance arrived to transport Mr. [REDACTED] to the hospital.

Officer Bryk learned that Mr. [REDACTED] was subsequently located hiding in a bush nearby and arrested. She further added that a weapon was recovered from the same area where Mr. [REDACTED] was located.

**In an interview with IPRA on November 03, 2016, Witness Officer Michael Donahue<sup>9</sup>, #11762,** stated that on the date and time of the incident, he was working with a partner, Officer Tara Murphy, and driving in an unmarked police SUV. Officer Donahue stated that he heard a request for assistance at Princeton and 59th. He and Officer Murphy, working Beat 765B responded to the location. Upon arrival, Officer Donahue observed Officer Bryk's vehicle parked behind Officer Craig's car, behind another vehicle with three occupants. Officer Craig informed the responding officers that the occupants were acting suspicious, and that it appeared that the rear passenger, [REDACTED] attempted to flee during the initial stop. Officer Craig further informed the officers that Mr. [REDACTED] continued to act suspiciously throughout the traffic stop.

Officer Donahue took a position on the front passenger's side of the car, while Officer Murphy took a position on the front driver's side, and Officer Bryk took a position on the rear passenger's side. Officer Donahue noted that the windows on the vehicle were tinted and that Mr. [REDACTED] would not keep his hands up, making it difficult for the officers to see what he was doing. Officer Donahue explained that at that point, Officer Craig removed the driver, [REDACTED] from the vehicle with Officer Murphy's assistance. Officer Donahue then began to remove the front passenger, [REDACTED] but Mr. [REDACTED] fled on foot, running westbound on 59th Street.

Officer Donahue stated that he pursued Mr. [REDACTED] westbound down an alley, but lost sight of him when Mr. [REDACTED] entered the alley. Moments later, Officer Donahue heard five to six gunshots in close proximity. Officer Donahue continued southbound in the alley and saw Mr. [REDACTED] on the ground with a gunshot wound to his leg. Officer Donahue also observed a black handgun near Mr. [REDACTED] which he initially believed to be in slide lock but later learned was stove-piped<sup>10</sup>. Officer Donahue then proceeded to handcuff Mr. [REDACTED] at which point Officer Bryk arrived on scene. Officer Donahue later returned to the area where he had last seen Mr. [REDACTED] and found him lying prone in a bush. Mr. [REDACTED] was placed into custody without further incident. Officer Donahue added that a weapon was recovered within the bush where Mr. [REDACTED] was located. Officer Donahue added that he did not see the weapon that was recovered.

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<sup>9</sup> Attachments 54-56.

<sup>10</sup> A stovepipe jam usually occurs in semi-automatic or fully-automatic firearms and is a failure-to-eject malfunction (i.e.) the cartridge that was just fired did not get ejected from the firearm properly and the cartridge case is partially stuck in the ejection port. This means the weapon cannot load the next cartridge into the chamber properly and will not fire.

In an interview with IPRA on November 03, 2016, Witness Officer Tara Murphy<sup>11</sup>, #17579, stated that on the date and time of the incident, she was driving in an unmarked police SUV with a partner, Officer Michael Donahue. Officer Murphy gave essentially the same account of the incident as did Officers Donahue and Bryk. Officer Murphy stated Officer Craig radioed for an assist car to meet him at 59th Street and Princeton Avenue. Officer Murphy and Donahue arrived a few seconds after Officer Bryk.

Officer Murphy stated that she assisted Officer Craig with getting the driver, [REDACTED] out of the vehicle. She commented that Mr. [REDACTED] was very cooperative and “didn’t resist in any way.” Officer Murphy stated that the other two passengers exited the vehicle and ran in different directions. [REDACTED] ran southbound and [REDACTED] ran west. Officer Murphy radioed for assistance, saying that their detainees fled. While Officer Craig, Bryk, and Donahue gave chase, Officer Murphy stayed with [REDACTED]. A few moments later, Officer Murphy heard five to six gunshots. She proceeded to call out shots fired over the radio. Officer Murphy then handcuffed Mr. [REDACTED] placed him into the back of the caged squad car, and ran to the alley where the shots were fired. When she arrived on the scene, Mr. [REDACTED] was already in handcuffs and appeared to be shot in the leg. Officer Murphy stated that she did not witness Mr. [REDACTED] being detained but learned of the details from other officers.

#### b. Digital Evidence

**In-car camera video footage from Beat 712, Vehicle #9059<sup>12</sup>** was collected as part of this investigation. At approximately 09:53:04, the video depicts Officer Craig’s vehicle driving eastbound, exiting a Quickmart parking lot, behind a dark colored SUV. At approximately 09:53:23, Officer Craig activates his emergency equipment. At approximately 09:54:01, the dark colored SUV pulls over on the south corner of Princeton Avenue with Officer Craig parking his vehicle behind. At approximately 09:56:50, Officer Craig is observed at the driver’s side of the subject’s vehicle, appearing to speak with the driver. At approximately 09:59:41, a dark colored unmarked unit arrives and parks at an angle, in front of the subject’s vehicle. Officers Donahue and Murphy exit the vehicle, while Officer Bryk is observed walking from behind the subject’s vehicle. Officers Donahue and Bryk approach the subject’s passenger side while Officer Murphy approaches the driver’s side, where Officer Craig is standing. At approximately 10:00:13, the driver, now known as [REDACTED] exits the vehicle and is escorted by Officer Craig to the front of Officer Craig’s vehicle. At approximately 10:00:28, the front seat passenger, now known as [REDACTED] exits the vehicle. At approximately 10:00:35, Mr. [REDACTED] flees from the officers. Immediately following, Mr. [REDACTED] exits the vehicle and also flees from the officers. Nothing further is observed as it relates to this investigation.

The **in-car camera video footage collected from Beat 711, Vehicle #9475<sup>13</sup>** captured the initial contact with the subjects but did not depict the events that occurred after Mr. [REDACTED] and Mr. [REDACTED] fled, leading to the shooting. At approximately 9:59:30, the video depicts Beat 711 park behind a marked CPD SUV, vehicle number 9059. Officers Donahue and Murphy are observed at the passenger side of the subject’s vehicle, a dark colored SUV, speaking with the

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<sup>11</sup> Attachments 57-59.

<sup>12</sup> Attachment 44.

<sup>13</sup> Attachment 43.

occupant(s). At 10:00:28, the front passenger, now known to be [REDACTED] exits the vehicle and appears to speak with the officers. At approximately, 10:00:36, Mr. [REDACTED] abruptly flees from the officers, running in a west bound direction, out of camera view. Subsequently, the rear passenger, now known to be [REDACTED] exits the vehicle and runs in a southbound direction down Princeton Avenue. At approximately 10:00:13, Officer Murphy is observed placing a third subject, now known to be [REDACTED] in the backseat of CPD vehicle 9059. Nothing further related to this incident is observed.

At the time of the incident, officers from the 007 District had not yet been equipped with **body worn cameras (BWC)**. The 007 District was deployed with BWCs on May 1, 2017.

**Third party surveillance video** was recovered from two locations<sup>14</sup>. After viewing the video footage, it was found that they did not capture anything related to this investigation<sup>15</sup>

The **Office of Emergency Management and Communication (OEMC) Event Queries, calls made to 911, and Police Radio Transmissions**<sup>16</sup> were collected and made part of this case file. Relevant police radio transmissions document that on October 23, 2016, Beat 712, now known to be Officer Craig, asked dispatch to run plate number [REDACTED] located at 59<sup>th</sup> Street and Princeton Avenue. Dispatch informed the officer that the plates were reported stolen and that the vehicle should be a Green Nissan Murano. Beat 712 requested a vehicle to back him up. Beat 765B responded that they would assist. Moments later, a female officer, appearing out of breath, reported a black male heading southbound then westbound on Princeton Avenue. Subsequently shots fired was reported. An ambulance was requested, with a stable condition. A male officer then reported shots fired by police and a weapon recovered. The address of incident was reported as 308 W. 59<sup>th</sup> Place.

**Evidence Technician (ET) photographs**<sup>17</sup> depict the scene, evidence recovered, and Officer Craig.

### c. Physical Evidence

A **Chicago Fire Department Ambulance Report**<sup>18</sup> documents that Ambulance 36 arrived at 5924 S. Princeton Avenue at approximately 10:12 a.m. to treat and subsequently transfer [REDACTED] to the hospital. EMS reported one individual lying on the ground with multiple gunshot wounds (GSW): one GSW to the posterior right lower leg; two GSWs to the left anterior lower leg; and one GSW to the left axillary area of the chest. The paramedics aided the patient by applying occlusive dressings to his wounds and transported him to John H. Stroger, Jr. Hospital.

**Medical Records**<sup>19</sup> obtained from John H. Stroger Hospital documented that Mr. [REDACTED] arrived at the emergency department with multiple gunshot wounds (GSWs). Mr. [REDACTED] sustained

<sup>14</sup> These videos are from the Quickmart located at 5924 S. Princeton and a residence located at 335 W. 59<sup>th</sup> Street.

<sup>15</sup> Attachments 74-75.

<sup>16</sup> Attachments 12-21.

<sup>17</sup> Attachment 71.

<sup>18</sup> Attachment 41.

<sup>19</sup> Attachment 68.

a GSW to the left chest wall, a wound to the right posterior calf, and wounds to the left posterior calf and anterior shin.

**The Chicago Police Department Crime Scene Processing Report, #317925<sup>20</sup>**, documents the recovery and inventory of items located on the scene. The items recovered and inventoried include Officer Craig's firearm, a Glock 17, 9mm semi-automatic pistol<sup>21</sup>, inventoried under 13790764, one Hi-Point, Model C9 9mm Luger semi-automatic pistol recovered from 5924 S. Princeton Avenue, in an empty lot, inventoried under 13790773, one Interarms, Model Firestar 9mm semi-automatic pistol, recovered from 312 W. 59<sup>th</sup> Place, under bushes, inventoried under 13790790. Officer Craig's firearm contained one (1) Win 9mm Luger+P cartridge in the chamber and eleven (11) Win 9mm Luger+P cartridges in the magazine. The Hi-Point firearm contained two (2) Tulammo 9mm Luger cartridges and one (1) Geco 9mm Luger cartridge in the chamber, and six (6) Geco 9mm Luger cartridges in the magazine. The Interarms firearm contained one (1) GFL cartridge case in the chamber, one (1) GFL 9 mm Luger cartridge, one Aguila 9mm Luger cartridge, and eight (8) Tulammo 9mm Luger cartridges in the magazine. In addition, two (2) metal fragments were recovered from the interior front passenger door of a 2003 Hyundai located at 5924 S. Princeton (Inventory No. 13790695), and five (5) Win 9mm Luger+P fired cartridge cases were recovered from the rear of the weed filled lot at 5922 S. Princeton Avenue (Inventory No. 13790683).

**A Laboratory Report from the Illinois State Police Forensic Science Center** documents evidence received and examined involving this case. The Forensic Science Center received the following<sup>22</sup>:

- Inventory #13790764**, which involves Exhibit 22, 23, and 24. Exhibit 22 is a Glock, Model 17, 9mm Luger semiautomatic pistol, with serial number LCD661. Exhibit 22 was operable as received and test fired. Exhibit 22 has rifling characteristics of six polygonal lands and grooves with a right hand twist. Exhibit 23 is one (1) Winchester 9mm Luger +P cartridge which no further examination was given. Exhibit 24 is eleven (11) Winchester 9mm Luger +P cartridges and one magazine. Exhibit 24 was used to test fire Exhibit 22.

- Inventory #13790695**, which involves Exhibit 15: one (1) fired bullet jacket fragment (Exhibit 15A) and one metal fragment (Exhibit 15B). The caliber and rifling characteristics of Exhibit 15A could not be determined and could not be identified or eliminated as having been fired from Exhibit 22. Exhibit 15B is unsuitable for further comparison.

- Inventory #13790683**, which involves Exhibit 16: five (5) Winchester 9mm Luger +P fired cartridge cases. The fired cartridge cases in Exhibit 16 were confirmed as having been fired from Exhibit 22.

- Inventory #13790699**, which involves Exhibits 31A: swabs recovered from Hi-Point pistol and 32A: swabs recovered from Hi-Point magazine and cartridges. Exhibits 31A and 32A was amplified and profiled at the 24 loci contained within the PowerPlex Fusion PCR

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<sup>20</sup> Attachment 69.

<sup>21</sup> ISP Exhibit 22.

<sup>22</sup> Attachments 61, 77.

amplification kit. A mixture of human DNA was identified in Exhibit 31A which was interpreted as a mixture of at least four people. A major human male DNA profile was identified in Exhibit 31A, which matches the DNA profile of [REDACTED] and does not match the DNA profile of [REDACTED]. This profile would be expected to occur in approximately 1 in 23 nonillion Black, 1 in 220 decillion White or 1 in 63 decillion Hispanic unrelated individuals. A mixture of human male DNA profile was identified in Exhibit 32A from which [REDACTED] cannot be excluded. [REDACTED] can be excluded from the major human male DNA profile identified in Exhibit 32A.

•**Inventory #13790711**, which involves Exhibits 33A: swabs recovered from Interarms pistol and 34A: swabs recovered from Interarms pistol magazine and cartridges. Exhibits 33A and 34A was amplified and profiled at the 24 loci contained within the PowerPlex Fusion PCR amplification kit. A mixture of human DNA profiles was identified in Exhibit 33A, which was interpreted as a mixture of at least four people. This mixture is not suitable for comparisons or entry into the DNA Index. A mixture of human DNA profiles was identified in Exhibit 34A at the Amelogenin, TH01, and D8S1179 loci which was interpreted as a mixture of at least two people. This mixture is not suitable for comparisons or entry into the DNA Index.

•**Inventory #13834191**, which involves Exhibit 35A: buccal standard from [REDACTED]

•**Inventory #13834206**, which involves Exhibit 36A: buccal standard from [REDACTED]

#### **d. Documentary Evidence**

The **IPRA Preliminary Report**, the **CPD's Major Incident Notification (MIN) Report**, and the **Case Supplementary Report**<sup>23</sup> contain information identified and obtained in the preliminary stages of the investigation. The reports contain information consistent with information gathered throughout the investigation.

A **Tactical Response Report (TRR)**<sup>24</sup> completed by Officer Craig documents that Mr. [REDACTED] did not follow verbal direction, fled and pulled away, presented an imminent threat of battery, and used force likely to cause death or great bodily harm by pointing a gun in the direction of Officer Craig. Officer Craig responded with member's presence, verbal commands, and the discharge of his firearm. Officer Craig discharged his firearm six (6) times.

The **Officer's Battery Report (OBR)**<sup>25</sup> completed by Officer Craig documented that while on duty, in uniform, he was engaged in a daytime traffic stop. The offender pointed a semi-automatic weapon at Officer Craig. Officer Craig did not sustain any injuries.

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<sup>23</sup> Attachments 4, 9, 60.

<sup>24</sup> Attachment 11.

<sup>25</sup> Attachment 10.

The **Arrest Report**<sup>26</sup> for ██████ documents that ██████ was placed into custody after a traffic stop was initiated by Officer Craig for no front registration. Mr. ██████ was the back-seat passenger in the vehicle and was observed by Officer Craig trying to exit the vehicle. Mr. ██████ disregarded officer commands. Mr. ██████ fled the vehicle and was pursued by Officer Craig into the north gangway of 5924 S Princeton. Mr. ██████ pointed a black highpoint model C-9 9mm semi-automatic handgun at Officer Craig. This placed Officer Craig in fear of bodily harm or death, resulting in Officer Craig discharging his weapon at Mr. ██████ striking him. Mr. ██████ weapon was recovered on scene.

██████ was subsequently charged with multiple counts of Felon in Possession / Use of a Firearm PR/PA, Aggravated Unlawful Use of a Weapon/Vehicle/Previous Conviction, Aggravated Unlawful use of a Weapon/Person/Previous Conviction/Aggravated Assault/Use Firearm/Peace Officer under case number 16CR1685701 of the criminal courts. On June 26, 2018, ██████ pled guilty to Felon in Possession/Use of a Firearm PR and Aggravated Assault/Use Firearm/Peace Officer. ██████ was sentenced to seven (7) years in the Illinois Department of Corrections (IDOC).<sup>27</sup>

The **Arrest Report** for ██████ documented that he was placed into custody after a traffic stop initiated by Officer Craig for no front registration. ██████ fled from the front passenger seat of the vehicle, holding the front of his waistband. Officer Donahue pursued the subject on foot. After a time, Mr. ██████ was found hiding in a bush near 312 W. 59th Place. While being placed under arrest, officers observed a Blue Steel Fire-Star Plus 9mm Handgun with live rounds from the location Mr. ██████ was found. During a search by transporting officers, one hand-rolled cigar with green leaf substance, suspected to be cannabis, was found as well as one small Ziploc bag of a green leaf substance, suspected to be cannabis. Mr. ██████ was arrested for UYW-Weapon- Felon Poss/Use Firearm/Parole, Agg. Assault/Peace Officer/Weapon, and Issuance of a warrant. Mr. ██████ was ultimately charged with multiple counts of Felon in Possession/Use of Firearm PR/PA, Aggravated UYW/Vehicle/Previous Conviction, Aggravated UYW/Person/Previous Conviction, under case number 16CR1685702<sup>29</sup>. Mr. ██████ was found guilty at trial on August 8, 2018, and his case remains pending for sentencing.

The **Arrest Report** for ██████ documents that he was placed into custody after a traffic stop initiated by Officer Craig for not having the proper front registration. A name-check for Mr. ██████ revealed that he did not have a valid license, that his license was suspended, and that he is currently on parole. Mr. ██████ was given a citation (TK-017-534)<sup>31</sup> and charged with Street Gang Contact/Parole<sup>32</sup>.

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<sup>26</sup> Attachment 5.

<sup>27</sup> Attachment 79.

<sup>28</sup> Attachment 6.

<sup>29</sup> Attachment 78.

<sup>30</sup> Attachment 7.

<sup>31</sup> Attachment 80.

<sup>32</sup> This charge was stricken of leave to reinstate on October 24, 2016.

Multiple attempts<sup>33</sup> were made to interview Mr. [REDACTED] and [REDACTED]. All three subjects' attorneys declined to have their clients provide a statement to IPRA due to their pending criminal cases.

According to the **Detective Supplementary Report (Cleared Closed; Arrest/Prosecution)**<sup>34</sup>, Mr. [REDACTED] sustained three (3) gunshot wounds (GSW). One GSW to his lower right leg, which was lodged, one through and through GSW to his lower left leg, and one GSW to his upper left chest near his armpit, which was also lodged.

#### e. Additional Evidence

IPRA conducted a **canvass** of the area of incident. The majority of the buildings/locations canvassed were empty or vacant. Furthermore, most of the individuals interviewed did not hear or see anything involving the incident.

Ms. [REDACTED] who lives at [REDACTED] stated that she heard four to five gunshots, went outside, and then heard a man saying that "he couldn't breathe". Ms. [REDACTED] did not witness the actual incident.

Ms. [REDACTED] who lives at [REDACTED] stated that her sister told her that she heard shots fired. Ms. [REDACTED] looked out the window and saw a female uniformed officer chasing a black male. Ms. [REDACTED] stated that she did not witness the actual incident<sup>35</sup>.

## VI. ANALYSIS

### CPD Policy, Illinois State Statute, & Constitutional Standards

The applicable Chicago Police Department order is General Order 03-02-03, II, which states as follows:

"A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or
2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:
  - a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;
  - b. is attempting to escape by use of deadly weapon or;

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<sup>33</sup> Attachment 76.

<sup>34</sup> Attachment 66.

<sup>35</sup> Attachments 28, 29.



- c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay.”

A police officer’s use of deadly force while making an arrest is codified under section 7-5 of the Illinois Criminal Code (Code) (720 ILCS 5/7-5 (West 2016)). That statute provides that a police officer “need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest.” 720 ILCS 5/7-5(a) (West 2016). It then outlines the amount of force an officer is justified using in certain situations.

Finally, an officer’s use of deadly force is a seizure within the meaning of the Fourth Amendment and, therefore, must be reasonable. *Muhammed v. City of Chicago*, 316 F.3d 680, 683 (7th Cir. 2002). “The ‘reasonableness’ inquiry in an excessive force case is an objective one: the question is whether the officers’ actions are ‘objectively reasonable’ in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.” *Graham v. Connor*, 490 U.S. 386, 397 (1989); see also *Estate of Phillips v. City of Milwaukee*, 123 F.3d 586, 592 (7th Cir. 2003). The reasonableness calculation “must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.” *Graham*, at 396–97. Consequently, “‘when an officer believes that a suspect’s actions [place] him, his partner, or those in the immediate vicinity in imminent danger of death or serious bodily injury, the officer can reasonably exercise the use of deadly force.’” *Muhammed*, 316 F.3d at 683 (quoting *Sherrod v. Berry*, 856 F.2d 802, 805 (7th Cir. 1988) (en banc) and omitting emphasis).

### **Officer Craig’s Use of Deadly Force**

The use of deadly force by Officer Craig against Mr. [REDACTED] was objectively reasonable under the totality of the circumstances, and, therefore, within the bounds of CPD policy as outlined by the CPD Deadly Force General Order 03-02-03, II. Furthermore, Officer Craig’s use of force also complied with the applicable Illinois law and United States law.

Accordingly, the relevant question is whether a reasonable officer in Officer Craig’s position would have believed the use of deadly force was necessary to prevent death or great bodily harm. COPA applies the same analysis to all of Officer Craig’s six shots. COPA makes its factual and legal determinations using a preponderance of the evidence standard. A proposition is proved by a preponderance of the evidence when it is found to be more probably true than not. *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005). A preponderance of evidence shows that Officer Craig reasonably believed that deadly force was necessary to prevent death or great bodily harm to other officers and civilians.

#### ***1. Mr. [REDACTED] possessed a firearm***

Officer Craig explained that during the foot pursuit, he observed Mr. [REDACTED] right hand move into his waistband. At that point, Officer Craig drew his weapon. As the chase continued, Officer Craig observed a black pistol in Mr. [REDACTED] hands. Mr. [REDACTED] then ran through a vacant

lot, between two vehicles, and jumped over a chair before falling to the ground. After falling, Mr. [REDACTED] turned with the pistol pointed towards Officer Craig. After being struck by gunfire, responding officers placed Mr. [REDACTED] into custody. Within arm's reach of Mr. [REDACTED] was the Hi-Point C9, 9mm caliber pistol Mr. [REDACTED] had brandished towards Officer Craig. Officers Bryk and Donahue also observed the handgun near Mr. [REDACTED]. Officer Bryk stated that the handgun was within arm's reach of Mr. [REDACTED]. In this instance, Officer Craig's statements are credible and consistent with Officers Bryk and Donahue's statements that a black hand gun was within arm's reach of Mr. [REDACTED]. Based on the totality of the circumstances, Mr. [REDACTED] possessed a firearm.

2. *Mr. [REDACTED] posed an imminent threat of death or great bodily harm to Officer Craig and others*

A reasonable officer in Officer Craig's position would certainly believe that deadly force was necessary to prevent death or great bodily harm. First, Officer Craig saw a gun in Mr. [REDACTED] hands during the foot pursuit. Not only was Mr. [REDACTED] visibly in possession of a handgun, a preponderance of the evidence demonstrates that he pointed the gun at Officer Craig. Officer Craig alleges that Mr. [REDACTED] pointed his firearm at him. However, Mr. [REDACTED] alleged that he never pointed the gun at Officer Craig. Mr. [REDACTED] alleged that he started to pull the gun out of his pocket upon entering the empty lot and threw the firearm between to vehicles that where parked in the rear.

Officer Craig's assertion that Mr. [REDACTED] pointed a firearm at him is corroborated by other evidence and is more credible. First, Mr. [REDACTED] expressly admitted to possession of a firearm. Second, a firearm, with Mr. [REDACTED] DNA, was found within arm's reach of Mr. [REDACTED].<sup>36</sup> This makes it unlikely that he discarded the firearm in the manner he alleged. Finally, Mr. [REDACTED] pled guilty to aggravated assault of a police officer with a firearm 720 ILCS 5/12-2(c)(6).

As soon as Mr. [REDACTED] pointed the firearm in Officer Craig's direction, Officer Craig was justified in using deadly force. *See Bell v. Crow*, 321 F. 3d 637, 639 (7th Cir. 2003) (if a suspect threatens an officer with a weapon, the risk of serious physical harm has been established such that the officer police may use deadly force). Further, Mr. [REDACTED] continued to flee holding the gun *after* he was shot by Officer Craig. Officer Craig stopped firing his weapon because Mr. [REDACTED] was no longer pointing the gun in Officer Craig's direction.

Thus, based on the totality of the facts and circumstances, an officer with similar training and experience as Officer Craig would reasonably believe that Mr. [REDACTED] posed an immediate threat to his life and the lives of others. Therefore, his use of deadly force was objectively reasonable under the circumstances.

## VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

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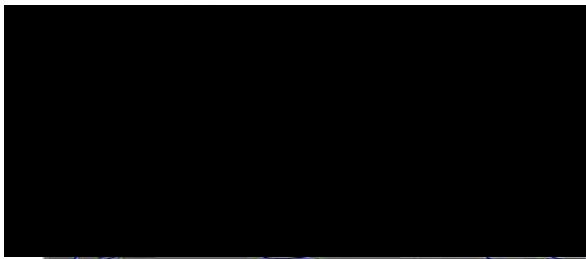
<sup>36</sup> Multiple other officers observed the firearm next to Mr. [REDACTED] shortly after the incident.

The evidence establishes that Officer Craig believed that Mr. [REDACTED] posed an imminent and deadly threat and that Officer Craig's belief were objectively reasonable under the circumstances.

COPA has determined by a preponderance of the evidence that Officer Craig's use of deadly force against Mr. [REDACTED] was objectively reasonable as outlined in the Use of Force Model, state and federal law and the Chicago Police Department's General Orders.

Officer	Allegation	Finding
Officer John M. Craig	No allegation of Misconduct	Use of deadly force was within CPD policy.

Approved:



Andrea Kersten  
*Deputy Chief Administrator*

Date

9/10/18

Appendix A

Assigned Investigative Staff

<b>Squad#:</b>	1
<b>Major Case Specialist:</b>	Chantall Morley
<b>Deputy Chief Administrator:</b>	Andrea Kersten